United Nations S/2016/182

Security Council

Distr.: General
25 February 2016

Original: English

Report of the Secretary-General on the United Nations Support Mission in Libya

I. Introduction

1. The present report is submitted pursuant to Security Council resolutions 2238 (2015) of 10 September 2015 and 2259 (2015) of 23 December 2015. It covers major political and security developments in Libya, provides an overview of the human rights and humanitarian situation in the country, and outlines the activities of the United Nations Support Mission in Libya (UNSMIL) since my report of 13 August 2015 (S/2015/624).

II. Political and security-related developments

2. Despite persistent political and institutional divisions, continuing armed confrontations across Libya and the expansion of terrorist groups, the political process facilitated by the United Nations and supported by regional and international engagement has made progress. Instability and conflict continued to aggravate the plight of the civilian population in many parts of the country, particularly in Benghazi. The suicide car bomb attack on 7 January in Zliten, the deadliest attack since the 2011 revolution, demonstrated the growing threat constituted by the increasing presence and influence of Islamic State in Iraq and the Levant (ISIL) affiliates and other terrorist groups.

3. On 17 December, the political dialogue process reached an important milestone with the signing of the Libyan Political Agreement in Skhirat, Morocco. The Agreement established a nine-member Presidency Council of the Government of National Accord, headed by the Prime Minister-designate, Fayiz al-Sarraj. One month later, the Presidency Council presented its proposal for a Government of National Accord for endorsement by the House of Representatives. On 25 January, the House of Representatives voted to endorse the Libyan Political Agreement, with the exception of article 8 of its additional provisions, and asked the Presidency Council to present a new Cabinet proposal, which it did on 14 February. At the same time, the institutional crisis resulting from competing claims of legislative legitimacy from the General National Congress and the House of Representatives continues to undermine progress in the political process.

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Political dialogue process

4. Throughout the reporting period, UNSMIL remained actively engaged in efforts to facilitate the formation of a unity government supported by security arrangements, in order to bring an end to the institutional crisis and armed conflict. Although important progress was made with the signing of the Libyan Political Agreement and the announcement of a Government of National Accord, much work remains to be done on the implementation of the Agreement, including on broadening the base of support for the new transitional institutions, ensuring a peaceful transfer of power, establishing security arrangements allowing the Government to operate effectively from Tripoli, the Libyan capital, and addressing the humanitarian needs of the Libyan population.

5. Building on the momentum gained from the initialling of the Libyan Political Agreement on 11 July in Skhirat, UNSMIL continued to work closely with all the main parties in Libya throughout August and September to facilitate consensus on annexes to the Agreement, including the composition of the Presidency Council and the priorities of the Government of National Accord, internal rules of procedure for the State Council, a proposed amendment to the Constitutional Declaration, fiscal policy principles and security arrangements.

6. The political dialogue reached a new threshold on 21 September, when participants in the dialogue all agreed on all annexes to the Agreement except the list of members of the Presidency Council. Following a high-level meeting on Libya on 2 October, on the side-lines of the General Assembly in New York, dialogue participants reconvened in Skhirat on 7 October to discuss the composition of the Presidency Council. On 8 October, after extensive consultations with dialogue participants, a list of six nominees who had received the broadest support from the participants was announced. Three additional members were subsequently added following consultations with key political actors, as a means of improving political and geographical balance.

7. Despite the arrival at a consensus list of nominees for the Presidency Council, neither the General National Congress nor the House of Representatives made formal pronouncements on the Libyan Political Agreement in the ensuing months. When participants in the political dialogue convened in Tunis on 10 and 11 December, they agreed to move forward with the signature of the Agreement.

8. On 17 December, participants in the political dialogue, including the Deputy Presidents of the General National Congress and the House of Representatives, signed the Libyan Political Agreement in Skhirat. Although the signing took place without the formal endorsement of the General National Congress and the House of Representatives, my Special Representative reiterated the commitment of the United Nations to support the Presidency Council in addressing the concerns of all relevant parties as it began the process of forming a Government of National Accord, and emphasized that the door remained open for all who wanted to join the road to peace.

9. In parallel to the main political track, in order to broaden the base of support for the political process, UNSMIL also convened meetings of representatives of Libyan municipalities. After the signing ceremony on 17 December, my Special Representative facilitated a meeting between representatives of 36 municipalities and the Prime Minister-designate. On 21 December, representatives of 23 municipalities

convened in Tunis to sign the Agreement as witnesses. Meanwhile, the nine members of the Presidency Council took up their duties in accordance with the Libyan Political Agreement and on 13 January decided to establish the Temporary Security Committee to facilitate the implementation of the security arrangements outlined in the Libyan Political Agreement.

10. On 18 January, the Presidency Council nominated a 32-member Government of National Accord. In accordance with the Libyan Political Agreement, the Prime Minister-designate presented the Cabinet to the House of Representatives for endorsement. At a session on 25 January, the House of Representatives voted to endorse the Libyan Political Agreement with the exception of an article in the additional provisions pertaining to senior military and security posts. The House of Representatives also voted to reject the proposed Government of National Accord and asked the Presidency Council to present a new Cabinet of no more than 17 ministers. On 14 February, the Presidency Council submitted a new proposal for the Government of National Accord, comprising 13 ministers and 5 ministers of state, for the endorsement of the House of Representatives.

11. Separately from the main political track, the House of Representatives delegation to the dialogue held discussions with a group of parliamentarian boycotters in Skhirat in September. On 18 September, they reached a tentative agreement to allow the boycotters to participate in the new transitional phase from within the House of Representatives. UNSMIL continued to facilitate talks to enable the former boycotters to join the House of Representatives. On 17 January, my Special Representative accompanied two former boycotters to a meeting in Shahhat with the President of the House of Representatives, Agila Saleh Essa Gwaider, for further discussions on convening a full session of the House of Representatives to discuss endorsement of the Government of National Accord.

Regional and international engagement

12. Neighbouring countries played an important role in supporting the political process in Libya. My Special Representative attended the seventh ministerial meeting of Libya's neighbouring countries in Algiers on 1 December. The meeting provided an opportunity to exchange views with representatives of the African Union, the European Union and the League of Arab States on progress in the dialogue process and common challenges resulting from the situation in Libya.

13. Regional and international support and positive engagement were also critical to the progress in the political process. On 13 December, my Special Representative was present at a ministerial meeting in Rome attended by a number of Member States and regional organizations, at which participants expressed strong support for the United Nations-facilitated political process and called for the formation of a unity government. My Special Representative also attended a meeting of senior officials in Rome on 19 January with expanded international participation, which offered an opportunity for a wider group of Member States to discuss options for international support to Libya directly with representatives of the Temporary Security Committee.

14. On 28 January, my Special Representative attended and briefed the fifth meeting of the International Contact Group for Libya, hosted by the African Union during the summit of Heads of State and Government in Addis Ababa.

Situation in the west

15. The security situation in western Libya remained fragile. The increased activity of ISIL and a sharp rise in crime levels added another layer of threats to a complex security setting. While many of the armed groups that control western Libya declared their intent to support the Libyan Political Agreement, some continued to be loyal to the leadership of the General National Congress and its self-appointed Government of National Salvation. The Libya Dawn coalition showed further fractures along political and geographical lines.

16. The reporting period also witnessed evolving tensions and sporadic outbreaks of violence between the various armed groups in Tripoli. Early in November, the Tripoli Revolutionaries Brigade attacked and briefly occupied the headquarters of the Council of Ministers in Tripoli. Clashes in the south-west of Tripoli erupted in November between the Abu Salim militia and armed groups from Gharyan and Misratah. In December, fighting in eastern Tripoli between rival local armed groups left at least 10 people dead, including civilians.

17. Local ceasefire arrangements in western Libya earlier in 2015 proved sufficiently resilient to absorb local escalation. The ceasefire between Zawiyah and Warshafanah was put to a serious test late in October when a military helicopter crashed close to Zawiyah, killing at least 15 people on board, among them high-ranking military officers and Libya Dawn commanders. The incident led to large-scale mobilization of forces from both sides. After a standoff and sporadic clashes over several days, local intermediaries succeeded in having the two sides renew their commitment to the ceasefire agreement.

Situation in the east

18. Persistent clashes in eastern Libya dominated much of the reporting period. Confrontations in Benghazi involved a complex constellation of actors, including forces loyal to General Khalifa Haftar, neighbourhood militias, Salafist armed groups and Islamist revolutionary brigades, as well as terrorist entities such as Ansar al-Sharia and ISIL.

19. Fighting continued in particular between army units loyal to General Haftar and the Benghazi Revolutionaries Shura Council. Neither side managed to make significant gains on the ground. In mid-September, General Haftar launched an air offensive against the Shura Council which had no discernible effect. Although there are no official figures of casualties, an estimated 150 fighters from both sides are believed to have been killed during the reporting period. The most serious violence in Benghazi involved a mortar attack in mid-October targeting a public rally against the Government of National Accord. Nine people were killed in the attack and around 50 wounded.

20. In December, Ajdabiya witnessed a severe deterioration in security as a result of clashes involving, on one side, various Islamist armed groups, including the Ajdabiya Revolutionaries Shura Council — comprising Islamist revolutionaries and the Ansar al-Sharia group — and, on the other, local Salafist militias and forces loyal to General Haftar. At least 23 people were killed and 60 injured, among them civilians, during 10 days of fighting. Fighter jets loyal to General Haftar conducted airstrikes against Shura Council targets on 26 December.

Situation in the south

21. Persistent intercommunal tensions and rising crime levels in Sabha and Awbari dominated the reporting period. In Sabha, confrontations between Awlad Sulayman on one side and the Qadhadhfa and the Tebu communities on the other, including an increase in cases of intercommunal revenge killings, contributed to heightened tensions in the city. The situation was further aggravated by a number of politically motivated assassinations and kidnappings of government officials. In October, unidentified groups abducted the Head of the Judicial Police and the Municipal Under-Secretary of Sabha in separate incidents.

22. In Awbari, the implementation of a ceasefire agreement reached on 22 November in Doha between Tuareg and Tebu community representatives stalled following doubts raised by Tebu representatives with respect to the neutrality of the force tasked with monitoring the ceasefire. The agreement, which was negotiated under the auspices of Qatar, provided for a cessation of all hostilities, an exchange of prisoners, and the establishment of a committee of elders to oversee the implementation of the agreement. Critically, the agreement also provided for the deployment of a neutral force from the Hasawna tribe as monitors under the supervision of the Third Force. Tensions escalated further when clashes between Tebu and Tuareg armed groups erupted on 10 January, and again on 16 January. Nine people were reportedly killed in the second round of clashes. Subsequent mediation efforts by community representatives from both sides succeeded in facilitating the deployment of the monitoring force, starting on 6 February.

23. Tensions between the Tebu and Zway communities contributed to ongoing tensions in Kufrah in the south-east. In retaliation for the siege laid to Tebu neighbourhoods in the city by Zway armed elements, Tebu militias continued to encircle Kufrah, hindering the movement of population and access to basic commodities. The reporting period also witnessed frequent incidents involving abduction and killing of civilians from both communities.

ISIL expansion

24. The expansion of ISIL added another layer to an already complicated security setting. The group managed to consolidate its grip on Sirte and its surroundings, effectively controlling a strip of more than 250 km. The group established a military infrastructure including training camps, storage areas and fortifications, in addition to rudimentary institutions of governance referred to as "Islamic courts" and "Islamic police". After the failed uprising of the Furjan tribe in Sirte in August, during which ISIL killed scores of Furjan fighters and supporters, the group faced no serious opposition in the area.

25. From its bases in Sirte and Nawfaliyah, ISIL made a number of attempts to expand its control, in particular eastwards to the oil crescent region. The group carried out a series of raids on oil installations before launching an attack early in January against the oil terminals of Sidrah and Ra's Lanuf, leading to fierce clashes with the Petroleum Facilities Guards. At least 30 ISIL fighters and 10 Guards were killed during several days of clashes in which the terrorist group detonated a number of suicide car bombs. Several oil tanks were set on fire during the fighting. Although ISIL forces failed to take over the two oil ports, they succeeded in assuming full control of the town of Bin Jawwad. In mid-January, ISIL forces attacked oil facilities in Maradah, some 150 km south of Ra's Lanuf.

26. ISIL also stepped up its attacks in the western region. A suicide car bomb attack on 7 January against the Jahfal Police Training Camp in Zliten, some 50 km west of Misratah, resulted in at least 59 deaths and injured more than 180, making it the deadliest terrorist attack in Libya since the 2011 revolution. A car bomb attack in November on a checkpoint close to Khums killed eight people.

27. Moreover, ISIL scaled up its activities in and around Tripoli and Sabrathah. In September, it attacked the prison of the Special Deterrence Force at Mitiga Airport, Tripoli, leading to the death of at least five ISIL members and three guards. In Sabrathah, the group held a parade of more than 30 vehicles early in December and temporarily established checkpoints in the southern part of the city. On 19 February, the United States of America announced that it had carried out airstrikes on suspected ISIL targets in the Sabrathah area.

28. In Derna, clashes continued between ISIL fighters and the Derna Mujaheddin Shura Council. Much of the fighting focused on the Fata'ih area and neighbourhood No. 400 to the south of the city, where ISIL fighters had set up base following their eviction from the town in June 2015. Fighter jets from Haftar's forces launched a series of airstrikes against ISIL positions around the town in December.

29. In Benghazi, local army units and neighbourhood armed groups fought against emerging ISIL elements, including in the Laythi area. Elsewhere in the east, Ajdabiya witnessed a series of assassinations of Salafist preachers and military officers during the reporting period, a number of which have been claimed by ISIL.

III. Constitution drafting process

30. A 12-member committee formed by the Constitution Drafting Assembly to prepare a first draft of the constitution published its work on 6 October. The formation of the committee had earlier prompted the Assembly's two Tebu representatives to suspend their membership in protest at their exclusion from the committee.

31. The draft was seen as a reasonable first step towards laying the foundation for a permanent constitution. The draft fell short, however, of international law and standards, particularly with respect to provisions relating to the formation of the State, separation of powers, primacy of the constitution over other aspects of internal law, rights and liberties, the judiciary and the Constitutional Court. Other shortcomings pertained to women's rights and inadequate safeguards against arbitrary detention, torture and unfair trial.

32. Following a detailed analysis by UNSMIL, the Mission made a number of recommendations to the Constitution Drafting Assembly for improvements to the draft. In the light of this feedback and other concerns raised within the Assembly, the Constitution Drafting Assembly requested the committee to review the draft and to reach consensus on outstanding issues.

IV. Other activities of the United Nations Support Mission in Libya

A. Electoral support

33. The volatile political and security situation rendered it difficult for the United Nations electoral support team, managed jointly by UNSMIL and the United Nations Development Programme (UNDP), to implement planned activities in support of the High National Elections Commission. Nonetheless, the Commission's 17 district electoral offices remained operational across the country. In its support to the Commission the team focused primarily on implementing activities directed at strengthening technical capacities and cultivating knowledge and awareness on electoral issues among key decision makers. The team continued to coordinate international electoral assistance and facilitated contacts between the Commission and its counterparts in the Arab region, enabling it to remain engaged with the wider electoral community in the region.

B. Human rights, transitional justice and rule of law

34. All parties to the conflict in Libya continued to perpetrate widespread violations of international humanitarian law and violations and abuses of international human rights law, including unlawful killings, abductions, hostage-taking, enforced disappearances and torture. Civilians bore the brunt of many of these violations and abuses, some of which may amount to war crimes. UNSMIL continued to call for an end to such abuses and for those responsible to be held accountable.

35. Ongoing fighting and the indiscriminate shelling of residential areas continued to result in the death and injury of civilians, including children and medical workers, while also causing damage to civilian infrastructure. Ajdabiya, Benghazi, Derna, Kufrah and Warshafanah were particularly affected. Bombings and suicide attacks also claimed the lives of dozens of people, many of them civilians.

36. The reporting period witnessed a rise in politically motivated assassinations, particularly in Benghazi and Ajdabiya. UNSMIL documented at least six such cases in which security officials and Salafists in Ajdabiya were targeted.

37. Areas under the control of ISIL, mainly in central Libya, witnessed gross human rights abuses. These included summary executions, abductions and torture. Following three days of fighting in the third district of Sirte, triggered by the suspected killing by ISIL of a local imam vocal in his opposition to the group, witnesses reported seeing four bodies hung from poles across the city. From 14 to 18 October, at least six executions were reported in Sirte and eastern Libya, including of two people accused of sorcery.

38. Serious concerns remain for the safety of those held by ISIL, including four men from Bin Jawwad captured on 4 January. The group also carried out floggings in Sirte, including of foreign nationals accused of drinking, following convictions by self-appointed "Islamic courts". Women and girls have had restrictions imposed on their freedom of movement without male guardians, as well as a dress code that includes a full-face veil.

39. The issuance in January by the General National Congress of Decision No. 2 regarding "Enforcement of the provisions of state of alert and public mobilization" heightened concerns regarding attempts by the former legislature to curtail civil liberties in Tripoli and elsewhere in western Libya. Of particular concern are provisions restricting the travel of civil servants and other officials, and requesting political parties to disclose information regarding membership and finances. Other provisions require advance notification of movements by foreign diplomatic missions and the monitoring of foreign nationals.

Abductions and torture

40. Armed groups on all sides continued to abduct civilians on the basis of their identity, family or perceived political affiliations. Detainees continued to be held in official and unofficial detention facilities, often denied contact with the outside world or access to judicial authorities.

41. In eastern Libya, abductions included opponents of Operation Dignity and individuals accused of terrorism. The fate and whereabouts of those captured by the Benghazi Revolutionaries Shura Council, including prisoners taken from Bouhdeima military prison in October 2014, are unknown, and there are serious concerns for their lives and safety.

42. The reporting period saw an increase in criminally motivated kidnappings for ransom, at times targeting children, particularly in western and southern Libya. Three children from the Alshirshari family who were kidnapped on 2 December in Surman continue to be held captive.

43. Throughout the reporting period, UNSMIL documented evidence of torture and other ill-treatment at a number of official and unofficial facilities across Libya. In the east, these included the facilities of the Department of Combating Terrorism in Barsis and Bu Jazirah; Kuwayfiah and Garnadah prisons; the Tokra detention facility; and those of the Criminal Investigations Department in Benghazi and Marj. In the west, locations included the Mitiga detention facility under the Special Deterrence Force and detention facilities under the control of the Abu Salim, Salah al-Burki, Abu Bakr al-Siddiq and Awlad Issa armed groups. UNSMIL also received reports of a number of deaths in custody in eastern and western Libya.

44. There were a number of prisoner exchanges and releases during the reporting period. In September, a total of 61 men detained since the conflict in 2011 were released from Misratah prisons. Another 51 men were released in exchanges between Zawiyah, Warshafanah and Abu Salim in November.

Groups in vulnerable situations

45. Human rights defenders continued to be at risk of violence and intimidation. In August, UNSMIL convened a two-day meeting bringing together human rights defenders and civil society actors with the aim of enhancing their role in the Libyan political dialogue and in peacebuilding efforts.

46. Migrants, asylum seekers and refugees remained at risk of prolonged detention in substandard conditions, torture, violent attacks, forced labour, rape and other sexual and gender-based violence and exploitation at the hands of members of armed groups, criminal gangs and members of the police. UNSMIL received reports of two gang rapes of migrant women in western Libya in November. Thousands of

foreign nationals remained detained for migration-related offences without legal recourse in facilities under the Ministry of the Interior or directly controlled by armed groups in deplorable conditions. In partnership with the International Medical Corps, UNHCR has instituted a system of weekly access and monitoring in 8 of the 18 State-operated detention centres.

47. Some 435,000 people remained internally displaced as a result of the conflict since mid-2014 and the ongoing insecurity. On 9 January, the Tawergha internally displaced persons camp in the Sports City complex in Benghazi was shelled twice, resulting in the deaths of two people and six others injured among the camp residents.

48. In Tripoli, the General National Congress amended provisions of the Personal Status Law (1984) relating to the rights of women. The move, while legally questionable given the status of the General National Congress, would particularly restrict women's rights in matters of divorce and polygamy, and pave the way for child marriages.

49. Journalists and other media workers were subjected to attacks including abductions, torture, violent assaults, and threats directed against them and their relatives. A number of journalists subsequently released reported being questioned about their work, political affiliations and relationships with international organizations.

50. In partnership with the Ministry of Foreign Affairs and Cooperation of Spain, the United Nations Educational, Scientific and Cultural Organization (UNESCO) convened a workshop for senior managers of a number of Libyan media outlets to discuss growing violence against journalists and media professionals. The workshop concluded with a declaration rejecting hate speech and committing to the implementation of basic ethical and professional standards.

Transitional justice

51. Building on earlier commitments by the municipalities of Misratah and Tawergha, a joint committee met several times during the reporting period to discuss modalities for the return of Tawerghan internally displaced persons to their homes. With UNSMIL facilitation, the two sides agreed on a road map that outlined provisions for a voluntary and safe return of displaced Tawerghans. The document of 18 December also outlined measures regarding reparations to victims of human rights abuses, accountability for perpetrators, provisions for security, and the reconstruction of Tawergha as well as of damaged areas in Misratah.

52. The trial of Saadi Qadhafi, charged with ordering the murder of footballer Bashir al-Rayani in 2006, began in November. Video footage released in August showed Mr. Qadhafi in Hadhbah prison being physically assaulted and forced to watch two detainees apparently being beaten. The prosecution announced an investigation and, in response to the Mission's intervention, confirmed that arrests had been carried out without providing further details.

53. The case of 32 former Qadhafi regime officials convicted by the Tripoli Court of Assize in July 2015 in proceedings which fell short of international standards for fair trial remained pending before the Court of Cassation following appeals by their lawyers. Saif al-Islam Qadhafi, son of Muammar Qadhafi, was tried and sentenced to death in absentia while continuing to be held by an armed group in Zintan. The

Prosecutor of the International Criminal Court continued to urge his handover to the Court.

Judiciary and penal system

54. Ongoing fighting and insecurity continued to impede court functions, particularly in Sirte, Derna and Benghazi. On 29 December, the public prosecution in Shahhat announced the suspension of its functions following an attack on its premises by armed men. Assassinations, abductions and other violent attacks continued to target judicial sector employees.

55. In a move largely viewed as an attempt to politicize the judiciary, the General National Congress appointed 36 new judges to the Supreme Court. This is the highest number of appointments to the Court since 2011.

56. Clashes between armed groups in Tajura' on 14 December prompted Tajura' B Prison staff to evacuate 364 prisoners to safety. Many escaped during the evacuation, and 226 prisoners remain at large. The prison building itself is no longer usable.

57. In November, UNSMIL organized a meeting for Libyan prison managers in Tunis. The meeting gathered 14 prison managers from across Libya and adopted a code of ethics and conduct. In December, UNSMIL and the United Nations Office on Drugs and Crime organized a workshop in Amman for Libyan correction officers to promote human rights and rule of law principles.

C. Security sector

Support to Libyan planning for interim security arrangements

58. A key focus of the Mission's engagement on security issues has been the development of an implementation plan for security arrangements outlined in the Libyan Political Agreement. Elements include advice on a security plan for Tripoli, including options for the standing down of armed groups and the revitalization of the Libyan army and security institutions; a comprehensive engagement plan with a broad spectrum of Libyan security actors; development of a common understanding of the security track of the political dialogue by the international community; advice to the Presidency Council on the development of the security track; and advice on reorganizing and modernizing the Libyan army.

59. The appointment by the Presidency Council of the Temporary Security Committee on 13 January was an important milestone. With UNSMIL assistance, the Committee is expected to develop a detailed plan to achieve the strategic objective of establishing the Government of National Accord in Tripoli. This is seen as a first step towards effectively addressing other fundamental issues relating to the situation in Benghazi and efforts to counter ISIL.

60. Pursuant to its engagement strategy developed earlier in 2015, UNSMIL liaised with a broad spectrum of Libyan armed groups on the interim security arrangements. Discussions focused on four key issues, namely, ensuring a strong commitment to the interim security arrangements and their operationalization through the Temporary Security Committee; the cantonment of weapons; addressing the future role of armed groups; and reorganizing and modernizing the Libyan army.

61. In parallel, UNSMIL provided the Presidency Council with technical support and advice on the security track of the political dialogue. This has focused primarily on developing and implementing the security concept underlying interim security arrangements, and coordinating international assistance on security issues.

62. The engagement of the international community on the security track has been a key line of effort by UNSMIL. This task has been undertaken through continuous engagement with representatives of the international community, including through joint planning and sharing of expertise and best practices. The international meetings held in Rome on 12 and 13 December and on 18 and 19 January provided a much-needed platform to underscore the urgency of coordinating international support and tailoring it to the immediate security needs of the Government of National Accord.

63. During the reporting period, UNSMIL welcomed and supported the resolve of the Presidency Council to address issues relating to the reorganization and modernization of the Libyan army. In particular, the Presidency Council has made progress in conceptualizing a phased approach, which sees first a focus on transitional security arrangements, then the reorganization of the Libyan army, and finally its eventual modernization. In time, the reorganization and modernization of the Libyan army will require considerable support from UNSMIL and the international community, as will the strengthening of the internal security forces including police.

Arms and ammunition management

64. The United Nations Mine Action Service facilitated discussions between the national mine action authority and a number of Libyan municipal councils to begin non-technical surveys to assess the work required to enable the return of both the Gawalish and the Tawergha communities to their respective hometowns. In addition, the Service provided three advanced training courses on explosive ordnance disposal for 50 personnel in the National Safety Authority and continued risk education to reduce the danger to civilians living in areas contaminated by explosive remnants of war.

65. The Mine Action Service is also implementing a pilot project to promote a gender-balanced approach to small arms control, focusing on awareness-raising and risk reduction education. In the light of the widespread proliferation of small arms and light weapons in the region, the project will build Libyan women's capacity to raise awareness of the high risk associated with these weapons and ammunition within their communities. The initiative is being undertaken in cooperation with the United Nations Institute for Disarmament Research.

D. Women's empowerment

66. The Mission also continued to undertake and support activities aimed at strengthening the participation of women in the political process. From 26 to 28 August, UNSMIL facilitated a meeting of Libyan women from across the country's political spectrum, regions and cultural and ethnic groups in Tunis. The participants agreed on recommendations for gender provisions to be included in the Libyan Political Agreement. In November in Geneva, UNSMIL facilitated a meeting for Libyan women representatives to develop a peace agenda for Libya. My Special

Representative continuously engaged with participants in the political process to encourage improved gender representation. On 11 January, he announced his strong support for a call for a 30 per cent women's quota in the Government of National Accord by leaders of women's groups and women activists convening in Tunis.

E. Coordination of international assistance

67. UNSMIL has proposed a new coordination structure for international assistance to Libya, which would reflect the priorities of the Government of National Accord as outlined in the Libyan Political Agreement. The proposal was developed in close consultation with the international community and Libyan stakeholders. The proposal, along with a separate matrix outlining pledged offers of assistance, has since been presented to the Presidency Council for its consideration.

68. Progress in the Libyan political dialogue process and the subsequent signing of the Libyan Political Agreement provided renewed impetus for United Nations and other international efforts focused on recovery and post-conflict transition in Libya. During the reporting period, UNSMIL, UNDP, the Economic and Social Commission for Western Asia, the International Monetary Fund and the World Bank jointly established the Libyan Experts Development Cooperation Forum. The Forum is expected to serve as a platform for focused engagement on priority issues affecting government functionality, recovery and post-conflict transition. Moreover, the Forum will assist in the institutionalization of the post-conflict national development dialogue in Libya and in proposing socioeconomic policy options and strategies supporting the formulation of the long-term national integrated development agenda for Libya. The Forum convened meetings in October and December in Tunis.

F. Humanitarian assistance

69. Recognizing the necessity to scale up the humanitarian response in Libya, the humanitarian country team launched in November the Humanitarian Response Plan 2016. The document is designed to adapt to a fluid and volatile operating environment, and to mobilize a response calibrated to deliver where there are most needs and with the greatest impact. Out of a $165,600,000 funding requirement, the Plan is only 2.2 per cent funded. Approximately 2.44 million people have been identified as in need of protection and some form of humanitarian assistance.

70. Figures from the Office of the United Nations High Commissioner for Refugees (UNHCR) indicate that the number of internally displaced in Libya has increased to approximately 435,000 persons, including 290,000 women and children. Of those, an estimated 146,275 persons are located in eastern Libya (117,275 persons in Benghazi alone), with the remaining 288,725 located in western and south-western parts of Libya, mostly in and around Tripoli. The expansion of ISIL and military operations in Ajdabiya resulted in a pattern of repeated internal displacement from Sirte, Bin Jawwad and Ajdabiya to other areas, mainly Tripoli, Misratah, Bani Walid and Tarhunah.

71. In October, UNHCR resumed registration activities for new asylum seekers throughout Libya. Approximately 100,000 refugees and asylum seekers are currently being hosted by Libya, of whom 36,868 have registered with UNHCR.

72. During the reporting period, the International Organization for Migration (IOM) assisted 2,167 internally displaced families and 5,206 migrants rescued at sea, detained or irregularly residing in Libya. In addition, 439 migrants from 12 different countries have benefited from humanitarian repatriation to their countries of origin.

73. A total of 37,695 refugees and migrants reached Italy by boat from the African continent between September and December, mostly from Libyan shores. From late August to December, more than 7,600 persons were intercepted or rescued by the Libyan coastguard, including 434 women and 70 children. Some 3,700 persons were reported dead or missing in the Mediterranean Sea. A Libyan interministerial information-sharing mechanism, which also includes the Libyan Red Crescent, has been established to improve Libya's response to boats in distress off its coasts.

74. Libya remains a country of both transit and destination for migrants, despite the challenging security situation. According to IOM figures, Libya currently hosts approximately 1 million migrants, mostly from Bangladesh, Egypt, Mali, the Niger, Nigeria, the Sudan and other sub-Saharan and West African countries. The large-scale presence of migrants and of internally displaced persons in Libya as a result of the ongoing conflict has put a considerable strain on local host communities.

75. It is estimated that 682,000 Libyans, mainly internally displaced persons, lack adequate access to safe drinking water, hygiene and sanitation services, creating serious health risks. UNICEF provided access to sanitation services to some 1,700 displaced families.

76. Limited financial resources and lack of access to and closure of hospitals and health facilities, combined with severe shortages in life-saving medicines, continue to have a serious impact on the health sector. The World Health Organization (WHO) supplied major consignments of medicines and life-saving supplies to Tripoli, Bayda, Zliten and Benghazi. Trauma kits and emergency health kits were dispatched to Zliten following the bomb attack in January. Together with the United Nations Children's Fund (UNICEF) and the United Nations Population Fund, WHO has supported the development of a national strategy on reproductive, maternal, child, neonatal and adolescent health.

77. Despite limited funding, the World Food Programme (WFP) continued to provide urgently needed food assistance to the most vulnerable and food insecure populations in Libya. Since December 2015, WFP has distributed food to 102,000 people in western and southern Libya and to some 78,000 beneficiaries in and around Benghazi.

78. According to an assessment by the Food and Agriculture Organization of the United Nations (FAO) in September, the deterioration of veterinary services has heightened the risk of outbreak of transboundary animal diseases. In December, FAO began assisting the Libyan Agricultural Authority in responding to an outbreak of avian influenza detected late in September.

79. An in-depth assessment supported by UNICEF found that 65 per cent of the 1,600 children assessed in camps for internally displaced persons exhibited moderate or severe post-stress symptoms, as many were forcibly displaced and have experienced destruction of infrastructure or loss of family members or friends. UNICEF and its partners provided 6,000 girls and boys with psychosocial support in

eight child-friendly spaces. Child protection concerns have increased dramatically since the escalation of the Libya conflict in 2014.

80. While UNESCO and other international partners have stepped up support and training related to emergency management and protection of museums and cultural assets, the ability of concerned national institutions and partners to respond effectively is increasingly constrained by the widespread instability and lack of effective governance.

V. Deployment of the United Nations Support Mission in Libya

81. Owing to security conditions in Libya, the majority of the UNSMIL international staff remain deployed in Tunis, where the Mission established a temporary headquarters. As at 31 December, a total of 169 UNSMIL international and national staff members and government-provided personnel were deployed in Tunis. In addition, UNSMIL has three staff members at Headquarters and 11 at the United Nations Logistics Base at Brindisi, Italy.

82. In relation to the UNSMIL presence in Tunisia, the United Nations and the Government of Tunisia concluded an agreement on the emergency temporary relocation of UNSMIL to the country, in order to ensure that the Mission can continue to carry out its mandate from there.

83. From 11 to 16 January, a needs assessment mission visited Tunis and Tripoli. It was asked to look specifically at conditions of service and safety of UNSMIL staff in Tunis, UNSMIL aviation needs and options for the re-establishment of a small permanent UNSMIL presence in Tripoli. The mission's key recommendations included a reassessment of staffing arrangements; the application of measures to improve the perimeter security of the UNSMIL building in Tunis and the continuation of the search for other facilities; the implementation of one of two options proposed for increased aviation support; and a review of the Protective Services Unit. The mission also evaluated potential locations in Tripoli and provided its assessment of the risks and benefits of each option, and recommended that UNSMIL undertake a phased approach regarding the return of staff to Tripoli: an initial deployment of a small substantive team accompanied by support elements and armed United Nations security personnel, and a second phase involving the presence of the Special Representative of the Secretary-General and senior United Nations officials. The needs assessment mission advised that this approach would be conditional on the deployment of a United Nations Guard Unit, and suggested that immediate procedures be commenced for the establishment of a Guard Unit, including, most urgently, a security risk assessment led by the Chief Security Adviser.

VI. Safety and security

84. The overall security situation throughout Libya remained highly volatile and was marred by several significant incidents during the reporting period. Terrorist attacks, kidnappings and other security incidents against foreigners in general, and specifically targeting the international community, continued to occur. Diplomats and foreign nationals were targeted and kidnapped by militants, for ransom or to demand the release of fighters being held by foreign Governments. A number of

foreign nationals were executed or kidnapped for financial reward by either violent extremist groups or criminal gangs.

85. On 31 August in Tripoli, a vehicle-borne improvised explosive device detonated outside the Mellitah Oil & Gas company premises. On 8 September in Tripoli, militiamen physically assaulted a UNHCR local staff member in connection with a car accident. On 1 October in Misratah, an explosive device detonated at the Turkish consulate. There was another explosion at the same location a few days later. On 8 November in Sabrathah, two Serbian embassy officials were abducted during an attack on their convoy en route to the Tunisian border. On 14 December in Tripoli, unidentified assailants abducted a Maltese hospital manager. On 12 January in Zuwarah, an unidentified armed group attacked the Mellitah Oil & Gas complex.

VII. Financial aspects

86. The total resources approved for UNSMIL for the period from 1 January to 31 December 2016 amount to $41,181,500, approved by the General Assembly in its resolution 70/249 A-C.

VIII. Observations and recommendations

87. The signing of the Libyan Political Agreement on 17 December was an important step forward in the Libyan political dialogue, and the efforts of the international community to bring an end to the institutional crisis and military conflict that have wrought destruction on Libya and its people. The success of the dialogue process owes much to the courage, commitment and determination of all the participants in the Libyan political dialogue to reunite their country and spare their people further bloodshed and suffering. The Libyan Political Agreement offers a framework for the Libyan people to realize the opportunities made possible by the 2011 Libyan revolution, particularly in building a democratic state founded on the rule of law and respect for human rights.

88. I am encouraged by the decision of the House of Representatives to endorse in principle the Libyan Political Agreement and the Presidency Council emanating from it. Together with steps to heal internal divisions within the legislature, Libya's elected representatives have shown great resolve in moving to fulfil their responsibilities towards their country and people after months of political uncertainty. The nomination by the Presidency Council, on 14 February, of a new list of ministers for the Government of National Accord was also a positive step forward. I take this opportunity to remind all parties that Libya's ability to turn over a new leaf in its transition towards greater stability and security will require a commitment to uphold the Libyan Political Agreement in form and spirit. In line with Security Council resolution 2259 (2015), the full implementation of all relevant provisions of the Agreement as signed by the parties in Skhirat on 17 December will be key in this regard.

89. Despite demonstrable progress, the political future of Libya remains highly uncertain. Many political and military leaders continue to oppose efforts aimed at taking the country to the next phase in its democratic transition. The door must remain open for all parties to join the political process. The road to viable and

sustainable peace, security and prosperity is one that requires the collective efforts and commitment of all parties to uphold Libya's national interests above all other considerations. Libya's political leaders must take responsibility for the future of their country. They must also make clear to all actors on the ground that continued violence, kidnappings and brazen statements of intimidation towards those seeking to advance the Libyan Political Agreement are unacceptable.

90. Progress towards resuming Libya's democratic transition is also a critical factor in the fight against the forces of terrorism and violent extremism. The relative ease with which groups such as ISIL have expanded their spheres of control and influence over the past few months is a matter of grave concern. I urge all parties to redouble their efforts to eliminate the political and security vacuum created by the absence of unified State institutions, which has allowed terrorist groups to consolidate their presence and increasingly pose a direct threat to Libya and the region. Unfolding developments elsewhere in the region are a clear reminder that time is of the essence, and that unless there is quick progress to form a united political and security front under the authority of a unified Libyan State, the battle against terrorism could well be lost. Libya's leaders on all sides have a responsibility to save their country and future generations from the scourge of terrorism and violent extremism.

91. As the military conflict continues unabated in different parts of the country, hundreds of thousands of ordinary Libyans continue to bear the appalling consequences of the humanitarian crisis. Close to half a million people have been displaced, many enduring a pattern of repeated displacement. Many hundreds of thousands of Libyans lack basic amenities, including adequate access to safe drinking water, hygiene and sanitation services. I appeal to the international community, on behalf of the most vulnerable in Libya, to urgently provide resources to the underfunded Humanitarian Response Plan, so that relief can be brought to the approximately 2.44 million people identified as in need of protection and humanitarian assistance.

92. Repeated calls by my Special Representative and international humanitarian agencies for a humanitarian ceasefire have gone unheeded, particularly in Benghazi, a city that has endured terrible destruction and loss of life. There is simply no justification for this continuing denial of humanitarian access to urgently needed relief by communities living in desperate conditions.

93. Moreover, the conflict continues to be characterized by gross violations of international humanitarian and human rights law. I call on the Libyan authorities and all those with effective control on the ground to put an end to such abuses. I also encourage political leaders and military commanders to publicly declare that all such acts will no longer be tolerated and that those responsible will be held to account. In this regard, it will be important for the new Libyan government to develop the capacity of the national justice system as a matter of priority. I also urge the international community to provide the resources requested by the Prosecutor of the International Criminal Court in order to investigate war crimes and other crimes under international law in Libya.

94. Parties engaged in the conduct of ongoing hostilities are reminded that it is their responsibility to put in place all necessary measures to avoid loss of civilian lives and prevent civilian injuries and damage to civilian installations. They must immediately cease all indiscriminate attacks and direct attacks against civilians,

ensure the protection of civilian hospitals, medical facilities and personnel, and guarantee unimpeded access to humanitarian assistance for communities in need. Likewise, there can be no justification for the abduction of civilians on account of tribal, family or political affiliations. Any such persons must be released immediately and unconditionally.

95. The continuing use of torture and other ill-treatment in detention facilities is unacceptable. I strongly remind all parties concerned of their obligation to abide by their responsibilities under international humanitarian and human rights law. I also call on them to ensure that measures are put in place to grant all detainees adequate access to relatives and lawyers, as well as to ensure either that due judicial process is set in motion or that steps are taken towards their release.

96. The conflict in Libya and the continuing absence of effective State authority continue to take a heavy toll on communities in southern Libya. Endemic levels of criminality and of growing political violence, persistent levels of communal tension and competition among rival groups over resources have been fuelled by years of systematic neglect and marginalization by central authorities. The current situation has been further aggravated by weak, if not entirely absent, border controls which have allowed for the unprecedented influx of large numbers of migrants, placing a huge strain on host communities in the south already struggling to meet their own needs.

97. I note with alarm moves by the de facto authorities in Tripoli to curtail political and civil liberties, as well as the repeated denial of access on a number of occasions for my Special Representative and his team to western Libya. In this regard, I remind the leadership of the General National Congress of its responsibilities under paragraph 18 of Security Council resolution 2259 (2015) to cooperate fully with the activities of UNSMIL, including allowing it free interaction with all interlocutors, and to take all necessary measures to ensure the security of, as well as the unhindered movement and timely access for, the United Nations and associated personnel. The ability of United Nations staff and personnel to engage freely with all political and security stakeholders without threat or intimidation is key to fulfilling the mandate entrusted to UNSMIL by the Security Council.

98. The Libyan Political Agreement provides for a viable road map that brings an end to the conflict in Libya and facilitates the country's democratic transition. Much will hinge on the implementation of the Agreement, as well as on the goodwill and commitment of all parties concerned to facilitate a peaceful transfer of power. The degree to which the Government of National Accord can effectively exercise its executive authority from the Libyan capital, Tripoli, supported by other key State institutions, is crucial in determining the success of Libyan authorities in addressing other major priorities, including the situation in Benghazi and the threat posed by ISIL and other terrorist groups.

99. The prevailing political and security conditions on the ground present a number of difficulties for UNSMIL in conducting its work. I have every confidence that my Special Representative and his staff will continue to explore creative and innovative approaches to the provision of support.

100. Against this backdrop and in response to the Mission's request to start preparations for its re-establishment in Tripoli, United Nations Headquarters, led by the Department of Political Affairs, deployed a needs assessment mission to

UNSMIL from 11 to 16 January. While it is critical that UNSMIL be able to provide immediate support to the Government of National Accord once it is established in Tripoli, the needs assessment mission determined that the security situation there remains highly unstable, especially given the current absence of a central authority and consequent weak security structures. Accordingly, as an immediate measure, the mission recommended the deployment of a small substantive team, accompanied by support elements and a United Nations Guard Unit. Preparations for the implementation of these recommended measures are under way.

101. In this context, the United Nations will continue its efforts to help to implement the Libyan Political Agreement and remains ready to support and assist the Libyan authorities in accordance with the principles of national ownership. Concerted efforts to ensure full implementation of the Agreement as well as to broaden the base of support are needed. To that end, I recommend that the Security Council renew the mandate of UNSMIL for a period of three months as an integrated special political mission in the areas provided for by the Security Council in resolution 2238 (2015). This period will allow the Mission to continue to assist the Presidency Council with the process of establishing the Government of National Accord, formulate its workplan and priorities, and put in place the necessary security arrangements to facilitate its presence in Libya. The establishment of the Government of National Accord will provide a further opportunity to engage with the Libyan authorities on a comprehensive strategic vision for United Nations support in the subsequent phase of the transition process.

102. I would like to express my appreciation to the African Union, the League of Arab States and the European Union, as well as to all those Member States that have been accompanying and supporting the process. Finally, I wish to extend my sincere appreciation to the staff of UNSMIL and the United Nations system for their efforts to support the transition of Libya, and I commend my Special Representative, Martin Kobler, for his leadership and tireless efforts to continue the political process and implement the Libyan Political Agreement.